

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

DECISION AND ORDER

v.

6:20-CR-06096 EAW

LUIS ORTIZ,

Defendant.

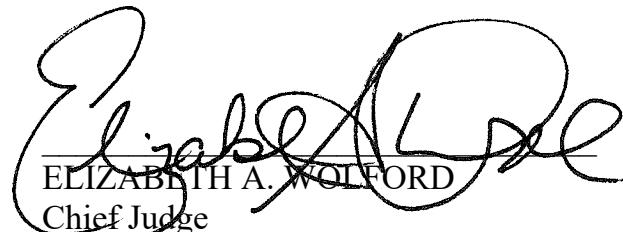
This Court referred to United States Magistrate Judge Mark W. Pedersen, pursuant to 28 U.S.C. § 636(b), the taking of a plea under Fed. R. Crim. P. 11. The defendant, Luis Ortiz, consented to the proceeding being before the Magistrate Judge. (Dkt. 138).

On October 8, 2021, defendant Luis Ortiz appeared before the Magistrate Judge and entered a plea of guilty to Count 1 of the Superseding Indictment—specifically a violation of Title 21, United States Code, Section 846 (conspiracy to possess with intent to distribute, and to distribute, 40 grams or more of fentanyl). Magistrate Judge Pedersen made an oral Report and Recommendation immediately after the plea proceeding (Dkt. 144 at 35), and filed a written Report and Recommendation (Dkt. 143) confirming that Defendant's entry of a plea of guilty met the requirements of Fed. R. Crim. P. 11, and recommending that this Court accept the guilty plea. No objections to the Report and Recommendation were timely filed, and no extension of time to file objections was sought.

Pursuant to 28 U.S.C. § 636(b), Magistrate Judge Pedersen's Report and Recommendation (Dkt. 143) is adopted in its entirety, and the Court hereby accepts

Defendant's plea of guilty, and Defendant is hereby adjudged guilty of Count 1 of the Superseding Indictment by violating Title 21, United States Code, Section 846 (conspiracy to possess with intent to distribute, and to distribute, 40 grams or more of fentanyl). As noted by Magistrate Judge Pedersen at the plea hearing, sentencing in this case is scheduled for January 12, 2022, at 11:00 a.m., before the undersigned, and the jury trial of this matter scheduled to commence on November 29, 2021, is hereby cancelled.

SO ORDERED.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court

Dated: November 9, 2021
Rochester, New York